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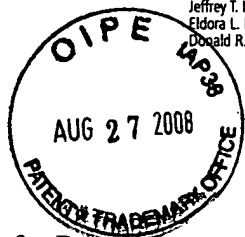
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August 27, 2008

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**Art Unit 1616**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 10/591,129; §371(c) Date: July 16, 2007  
For: **Oil-Based Suspension Concentrates**  
Inventors: BAUR *et al.*  
Our Ref: 2400.0730000/VLC/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A (6 sheets) listing the cited documents (US1-US39 and FP1-FP57);
3. Form PTO/SB/08B (2 sheets) listing the cited documents (NPL1-NPL20);
4. Copies of cited documents (FP1-FP57 and NPL1-NPL14); and
5. One (1) return postcard.

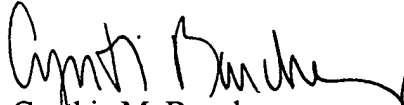
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
August 27, 2008  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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CMB/AKN/tc  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

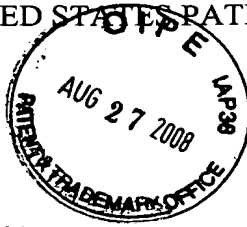
In re application of:

BAUR *et al.*

Appl. No.: 10/591,129

§ 371(c) Date: July 16, 2007

For: **Oil-Based Suspension Concentrates**



Confirmation No.: 7330

Art Unit: 1616

Examiner: ARNOLD, Ernst V.

Atty. Docket: 2400.0730000/VLC/CMB

**Information Disclosure Statement Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1-FP57** and **NPL1-NPL14** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **US1-US39**, cited on the attached Form PTO/SB/08A are not submitted. In addition, copies of document **NPL15-NPL20** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language

documents **FP1**, **FP2**, **FP5**, **FP6**, **FP11**, **FP12**, **FP15-FP18**, **FP21**, **FP23**, **FP26**, **FP27**, **FP29-FP32**, **FP34-FP36**, **FP37**, **FP39-FP42**, **FP44**, **FP46**, **FP47**, **FP49**, **FP51**, **FP54-FP57** and **NPL6** cited on Forms PTO/SB/08A and PTO/SB/08B:

Document **FP1**, EP 0 094 349 A2, is in a foreign language. U.S. Patent No. 4,902,340, which is cited herein as document **US8**, is believed to be the English language equivalent of document **FP1**.

Document **FP2**, EP 0 086 750 A2, is in a foreign language. U.S. Patent No. 4,623,727, which is cited herein as document **US2**, is believed to be the English language equivalent of document **FP2**.

Document **FP5**, EP 0 174 562 A2, is in a foreign language. U.S. Patent No. 4,639,266, which is cited herein as document **US3**, is believed to be the English language equivalent of document **FP5**.

Document **FP6**, EP 0 191 736 A1, is in a foreign language. U.S. Patent No. 4,881,966, which is cited herein as document **US6**, is believed to be the English language equivalent of document **FP6**.

Document **FP11**, EP 0 269 806 A1, is in a foreign language. U.S. Patent No. 4,891,057, which is cited herein as document **US7**, is believed to be the English language equivalent of document **FP11**.

Document **FP12**, EP 0 303 153 A2, is in a foreign language. Canadian Patent No. 1,340,602 C, which is cited herein as document **FP43**, is believed to be the English language equivalent of document **FP12**.

Document **FP15**, EP 0 333 131 A1, is in a foreign language. U.S. Patent No. 5,401,700, which is cited herein as document **US12**, is believed to be the English language equivalent of document FP15.

Document **FP16**, EP 0 346 620 A1, is in a foreign language. An English language abstract of document FP16 is attached as document **NPL9**.

Document **FP17**, WO 91/07874 A1, is in a foreign language. U.S. Patent No. 5,700,758, which is cited herein as document **US18**, is believed to be the English language equivalent of document FP17.

Document **FP18**, WO 91/08202 A1, is in a foreign language. U.S. Patent No. 5,314,863, which is cited herein as document **US10**, is believed to be the English language equivalent of document FP18.

Document **FP21**, EP 0 492 366 A2, is in a foreign language. U.S. Patent No. 5,380,852, which is cited herein as document **US11**, is believed to be the English language equivalent of document FP21.

Document **FP23**, WO 92/13845 A1, is in a foreign language. Australian Patent No. 666644, which is cited herein as document **FP32**, is believed to be the English language equivalent of document FP23.

Document **FP26**, EP 0 514 768 A1, is in a foreign language. U.S. Patent No. 5,573,998, which is cited herein as document **US16**, is believed to be the English language equivalent of document FP26.

Document **FP27**, EP 0 514 769 A1, is in a foreign language. U.S. Patent No. 5,518,991, which is cited herein as document **US15**, is believed to be the English language equivalent of document FP27.

Document **FP29**, EP 0 582 198 B1, is in a foreign language. U.S. Patent No. 6,482,947 B1, which is cited herein as document **US25**, is believed to be the English language equivalent of document FP29.

Document **FP30**, WO 95/07897 A1, is in a foreign language. U.S. Patent No. 5,516,750, which is cited herein as document **US14**, is believed to be the English language equivalent of document FP30.

Document **FP31**, EP 0 645 386 A1, is in the German language. U.S. Patent No. 5,476,936, which is cited herein as document **US13**, is believed to be the English language equivalent of document FP31.

Document **FP32**, WO 95/30661 A1, is in a foreign language. U.S. Patent No. 6,077,813, which is cited herein as document **US21**, is believed to be the English language equivalent of document FP32.

Document **FP34**, WO 96/25412 A1, is in a foreign language. U.S. Patent No. 5,607,898, which is cited herein as document **US17**, is believed to be the English language equivalent of document FP34.

Document **FP35**, WO 96/26206 A1, is in a foreign language. U.S. Patent No. 5,846,907, which is cited herein as document **US19**, is believed to be the English language equivalent of document FP35.

Document **FP36**, WO 96/41537 A1, is in a foreign language. U.S. Patent No. 5,990,047, which is cited herein as document **US20**, is believed to be the English language equivalent of document **FP36**.

Document **FP39**, EP 0 789 999 A2, is in a foreign language. An English language abstract of document **FP39** is attached as document **NPL10**;

Document **FP40**, WO 97/36868 A1, is in a foreign language. An English language abstract of document **F40** is provided on the face page of the document;

Document **FP41**, WO 98/05638 A2 and A3, is in a foreign language. An English language abstract of document **FP41** is provided on the face page of the document;

Document **FP42**, WO 98/34482 A1, is in a foreign language. U.S. Patent No. 6,559,098 B1, which is cited herein as document **US26**, is believed to be the English language equivalent of document **FP42**.

Document **FP44**, WO 00/21924 A1, is in a foreign language. U.S. Patent No. 6,376,429 B1, which is cited herein as document **US22**, is believed to be the English language equivalent of document **FP44**.

Document **FP46**, WO 01/30155 A2 and A3, is in the German language. U.S. Patent No. 6,569,805 B1, which is cited herein as document **US27**, is believed to be the English language equivalent of document **FP46**.

Document **FP47**, WO 01/30156 A1, is in the German language. U.S. Patent No. 6,479,432 B1, which is cited herein as document **US24**, is believed to be the English language equivalent of document **FP47**.

Document **FP49**, WO 01/74785 A1, is in a foreign language. U.S. Patent No. 6,420,317 B1, which is cited herein as document **US23**, is believed to be the English language equivalent of document FP49.

Document **FP51**, WO 03/000053 A1, is in a foreign language. An English language abstract of document FP51 is provided on the face page of the document; and

Document **FP54**, WO 03/099005 A1, is in a foreign language. An English language abstract of document FP54 is provided on the face page of the document.

Document **FP55**, WO 2005/011378 A1, is in the German language. U.S. Publication No. 2005/0026786 A1, which is cited herein as document **US39**, is believed to be the English language equivalent of document FP55.

Document **FP56**, WO 2005/011382 A1, is in the German language. U.S. Publication No. 2006/0205596 B1, which is cited herein as document **US30**, is believed to be the English language equivalent of document FP56.

Document **FP57**, WO 2007/042152 A1, is in a foreign language. An English language abstract of document FP57 is provided on the face page of the document.

Document **NPL6**, SCHLOTTER, P., *et al.*, "Florasulam - A new herbicide for broadleaf weed control in cereals," *Z. PflKrankh. PflSchutz, Sonderh. XVI:527-534*, Verlag Eugen Ulmer, Stuttgart (1998), is in a foreign language. An English language summary of document NPL6 is located on the face page of said document.

Applicants would also like to bring to the attention of the Examiner that, for the following document, the publication year could not be determined to the best of the



Applicants' ability: NPL4, FALBE, J. and REGITZ, M., *Römpf Chemie Lexikon* 9:1343-1345, Georg Thieme Verlag.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Application No. 11/445,444, inventors Sixl, F., *et al.*, filed June 2, 2006; now published; listed as document **US31**;

U.S. Application No. 10/578,403, inventors Fischer, R., *et al.*, filed November 13, 2006; now published; listed as document **US32**;

U.S. Application No. 10/578,497, inventors Fischer, R., *et al.*, filed April 2, 2007; now published; listed as document **US33**;

U.S. Application No. 10/579,099, inventors Fischer, R., *et al.*, filed March 22, 2007; now published; listed as document **US34**;

U.S. Application No. 10/563,794, inventors Fischer, R., *et al.*, filed June 25, 2004; now published; listed as document **US35**;

U.S. Application No. 10/581,447, inventors Funke, C., *et al.*, filed April 12, 2007; now published; listed as document **US36**;

U.S. Application No. 10/591,128, inventors Fischer, R., *et al.*, filed March 4, 2005; now published; listed as document **US37**;

U.S. Application No. 10/578,512, inventors Funke, C., *et al.*, filed October 30, 2004; now published; listed as document **US38**;

U.S. Application No. 10/578,900, inventors Fischer, R., *et al.*, filed November 9, 2004; now published as document US 2007/0298969 A1; listed as document **US38**;

U.S. Application No. 11/632,501, inventors Fischer, R., *et al.*, filed July 18, 2005; not published; listed as document **NPL14**;

U.S. Application No. 11/666,870, inventors Fischer, R., *et al.*, filed October 21, 2005; not published; listed as document **NPL15**;

U.S. Application No. 11/666,988, inventors Fischer, R., *et al.*, filed October 21, 2005; not published; listed as document **NPL16**;

U.S. Application No. 11/795,714, inventors Fischer, R., *et al.*, January 17, 2006; not published; listed as document **NPL17**;

U.S. Application No. 11/884,845, inventors Fischer, R., *et al.*, February 14, 2006; not published; listed as document **NPL18**; and

U.S. Application No. 12/089,845 inventors Vermeer, R., *et al.*, September 28, 2006; not published; listed as document **NPL19**.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

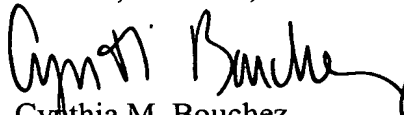
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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Date: August 27, 2008

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